

National Aeronautics and Space Administration
Kennedy Space Center
Kennedy Space Center, FL 32899



October 6, 2009

Reply to Attn of: CC-A

TO: Distribution

FROM: CC/Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA Employees at the Final Destination Reception, October 8, 2009

The Astronaut Scholarship Foundation (ASF), a non-profit 501(c)(3) organization, will host the Final Destination Reception at the Debus Conference Facility in Kennedy Space Center's Visitor Complex on Thursday, October 8, 2009. Astronauts Andy Allen, Bob Springer, and Don Williams will be present at the reception. This event is the culmination of a local, community-wide art program, *Shuttles Orbiting the Space Coast*, which provided for the display of twenty-two unique space shuttle statues around the community for the past eight months. Approximately 8,000 invitations to this reception have been distributed across the country. Invitees include corporate and industry executives and workers, members of academia, representatives of aerospace contractors, community leaders, Federal government officials, military leaders and other space enthusiasts. The cost of attendance is \$20 a person.

I find this event meets the requirements of a "widely attended gathering" as defined in 5 CFR § 2635.204(g). I further determine that there is Agency interests in having NASA employees attend these events. Through attendance, NASA employees will be able to publicize and discuss the space shuttle program and NASA's other ongoing activities.

Accordingly, NASA employees whose duties do not substantially affect the sponsor, including employees in non-career positions who are required to sign the ethics pledge under the Executive Order 13490, may accept an invitation for free attendance at the event. NASA employees whose duties may substantially affect ASF should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from the Chief Counsel's Office.

Finally, this event includes a fundraising auction. As a reminder, Federal employees should avoid participating in any of the fundraising activities, including any promotional, production, or presentation activities. Employees should also avoid making any requests for support for any nonprofit organization.

A handwritten signature in dark ink, appearing to read "Jerald D. Stubbs".

Jerald D. Stubbs
Agency Designee

Distribution:
STDL-A